

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Panchayat Raj & Rural Development Department – Allegations of collusion with the A.O. Sri S. Shivalal, former Dy. Executive Engineer, Panchayat Raj, Bheemgal Sub-Division, Nizamabad District and furnishing the annual property return for the year 2004 after registration of the case to mislead the investigating agency and to safe-guard the A.O. to save from clutches of law - Sri Ch. Satya Murthy, former Executive Engineer, Panchayat Raj, Nizamabad - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (CC&A), Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 1340.

Dated: 17.09.2009.

ORDER:

It is proposed to hold an enquiry against Sri Ch. Satya Murthy, former Executive Engineer, Panchayat Raj, Nizamabad, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of article of charge is enclosed as Annexure-II. A list of witnesses by whom and a list of documents by which the articles of charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri Ch. Satya Murthy, former Executive Engineer, Panchayat Raj, Nizamabad, is directed to submit within (10) days of the receipt of this order, a Written statement of defence. He is informed that an inquiry will be held only if the article of charge is not admitted. He should, therefore, specifically admit or deny the article of charge.

4. Sri Ch. Satya Murthy, former Executive Engineer, Panchayat Raj, Nizamabad, is further informed that if he does not submit his written statement of defence within the stipulated period specified in para (3) above, further action will be processed based on the material available.

5. Attention of Sri Ch. Satya Murthy, former Executive Engineer, Panchayat Raj, Nizamabad, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

PTO...

::2::

6. The receipt of this Memorandum shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Ch. Satya Murthy, former Executive Engineer, Panchayat Raj, Nizamabad
through the Engineer-in-Chief, Panchayat Raj, Hyderabad.
The Engineer-in-Chief, Panchayat Raj, Hyderabad.

(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to:

The Director General, A.C.B., Hyderabad.

Law (A) Dept.

SF/SCs

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-I

(Annexure to G.O.Rt.No. 1340, PR & RD (Vig.I) Dept., dt.17.09.2009)

(Statement of Article of charge against Sri Ch. Satya Murthy, former
Executive Engineer, Panchayat Raj, Nizamabad)

CHARGE:

That Sri Ch. Satya Murthy, S/o Bheemaiah joined in Government service on 01.07.1985 as Assistant Executive Engineer, Panchayat Raj, at Medak District and while functioning as Executive Engineer, Panchayat Raj Department at Nizamabad district during the period between 03.07.2005 to 08.07.2008 had committed grave misconduct in as much as he and Sri K. V. Srinivasa Rao, Senior Assistant, colluded with Sri S. Shivalal, Dy.Executive Engineer, Panchayat Raj, Bheemgal and furnished the Annual Proper Return for the year 2004 after registration of the case against Sri S. Shivalal, Dy.EE to mislead the investigating agency to help Sri S. Shivalal from the clutches of Law and he failed to maintain absolute integrity in violation of the provisions of the A.P. Civil Services (Conduct) Rules, 1964.

Thus, Sri Ch. Satya Murthy, Executive Engineer by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) and (2) of the A.P. Civil Services (Conduct) Rules, 1964.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-II

(Annexure to G.O.Rt.No. 1340, PR & RD (Vig.I) Dept., dt.17.09.2009)

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLE OF CHARGES AGAINST SRI CH. SATYA MURTHY, FORMER EXECUTIVE ENGINEER, PANCHAYAT RAJ, NIZAMABAD.

That Sri Ch. Satya Murthy, S/o Bheemaiah, Executive Engineer, Panchayat Raj Sub-Division, Medak is native of Korutla of Karimnagar District. His date of birth is 15.05.1959. He joined in Govt. Service on 01.07.1985 as Asst. Executive Engineer, Panchayat Raj Dept. in Medak District. He was promoted as Executive Engineer on 03.07.2005 and worked at Nizamabad division during the period from 03.07.2005 to 08.07.2008. He is here-in-after referred to as Government Servant.

That a case in Crime No.11/ACB/NZB/07 u/s 13 (2) r/w section 13 (1) (e) of the Prevention of Corruption of Act, 1988 was registered on 29.11.2007 against Sri S. Shivalal, Dy.EE, PR Sub-Division, Bheemgal, Nizamabad district for possessing assets disproportionate to his known sources of income. During investigation, a letter has been addressed vide Lr.No.11/ACB-NZB/2007, dt. 14.12.2007 by the Inspector, ACB, Nizamabad Range, to the Executive Engineer, Panchayat Raj, Nizamabad regarding salary particulars and Annual Property Returns of Sri Shivalal. In response to the letter, the Executive Engineer, PR Division, Nizamabad Sri Ch. Satya Murthy, i.e., Govt. Servant furnished information vide Lr.No.1025/2007, dt. 05.01.2008 along with particulars of pay and allowances drawn particulars of Sri Shivalal along with annual property statement for the year 2004 which was submitted by Sri S. Shivalal. After receiving the above letter from the Govt. Servant, verification has been made in respect of the genuineness of annual property return of Sri S. Shivalal and the verification disclosed that the Inward Register for the year 2004 do not contain the entries with regard to the submission of annual property returns by Sri Shivalal. Further, there is no counter signature of the then Executive Engineer and office seal on the annual property return, which was submitted by Sri Shivalal to Executive Engineer, Panchayat Raj, Nizamabad. It discloses that Sri Ch. Satya Murthy and concerned Senior Assistant K. Venkata Srinivasa Rao, manipulated to receive the annual property return per the year 2004, after registration of the case in collusion with Sri Shivalal.

That Sri Ch. Satya Murthy while working as Executive Engineer, PR Division, Nizamabad from 03.07.2005 to 08.07.2008 had committed grave misconduct in as much as he and Sri K. Srinivasa Rao colluded with Sri S. Shivalal and furnished the annual property return for the year 2004 after registration of the case to mislead the investing agency to help Sri Shivalal from the clutches of law and he failed to maintain absolute integrity in violation of the provisions of the A.P. Civil Services (Conduct) Rules, 1964.

Thus, Sri Satya Murthy by his above mentioned acts, has exhibited lack of integrity, devotion to duty conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) and (2) of the A.P. Civil Services (Conduct) Rules, 1964. Thus, the Government Servant has rendered himself liable for regular departmental action for major penalty.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-III

(Annexure to G.O.Rt.No. 1340 , PR & RD (Vig.I) Dept., dt. 17.09.2009)

List of Witnesses by whom the article of charges is proposed to be sustained against Sri Ch. Satya Murthy, former Executive Engineer, Panchayat Raj, Nizamabad.

1. The Superintending Engineer, Panchayat Raj, Medak.
2. Sri K. Seetaramulu, Inspector of Police, ACB, Nizamabad Range, Nizamabad.
3. Any witness if found necessary will be produced during the inquiry.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

(Annexure to G.O.Rt.No. 1340 , PR & RD (Vig.I) Dept., dt. 17.09.2009)

List of documents by which the article of charges is proposed to be sustained against Sri Ch. Satya Murthy, former Executive Engineer, Panchayat Raj, Nizamabad.

1. Inward and outward Registers, O/o the Executive Engineer, Panchayat Raj, Nizamabad.
2. Any document if found necessary will be produced during the inquiry.
3. Letter No.1025/2007, dt. 05.01.2008.
4. Annual Property Return of Sri S. Shivalal (A.O.) for the year 2004.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER